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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

29 ROYLENE RAY, KELLY CANNON,  
30 KARLA HODGES and LAKETA  
31 COULTER et al., individually and on  
32 behalf of others similarly situated.,

33 Plaintiffs,

34 vs.

35 BLUEHIPPO FUNDING, LLC,  
36 BLUEHIPPO CAPITAL, LLC and  
37 GATEWAY, INC.,

38 Defendants.

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53 BLUEHIPPO FUNDING, LLC and  
54 BLUEHIPPO CAPITAL, LLC

55 Case No. C-06-1807 JSW EMC

56 **JOINT CASE MANAGEMENT  
57 CONFERENCE STATEMENT AND  
58 PROPOSED ORDER THEREON**

59 Trial Date: February 1, 2010

1           In a stipulated request, dated January 28, 2009, the parties (1) notified the Court of a class  
 2 action settlement in principle that was reached the previous day with the assistance of Magistrate  
 3 Judge Spero and (2) asked the Court to suspend certain deadlines and generally stay the action for  
 4 thirty days to permit the settlement to be documented and submitted to the Court for preliminary  
 5 class approval. The Court approved the stipulated order on January 29, 2009. On March 3, 2009,  
 6 the Court approved an additional two week stay of the action to and including March 19, 2009 to  
 7 allow the parties to complete documentation of the settlement. In the March 3, 2009 order, the  
 8 Court directed the parties either to file a stipulation of dismissal or a joint case management  
 9 statement no later than March 19, 2009.

10           The parties have made substantial progress in documenting the settlement, but as is not  
 11 unusual in a class settlement, a number of unanticipated issues and complexities have arisen that  
 12 that have required careful consideration of the parties and their counsel. Most of these issues  
 13 have been resolved, but there are a handful of issues that the parties are still discussing. The  
 14 parties continue to believe that the issues can be resolved through drafting compromises and will  
 15 not become conceptual obstacles to completion of the settlement.

16           The parties jointly request that the Court continue the stay in place for another two weeks  
 17 to allow the parties to work through the few remaining issues. None of the parties desires the  
 18 Court to lift the stay or enter a scheduling order that would require the parties to simultaneously  
 19 litigate the matter while trying to finalize the settlement, as that would only divert resources  
 20 needed to complete the settlement process. The parties are happy to answer any questions that the  
 21 Court may have.

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23           **[Signatures on Next Page]**

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1 Dated: March 19, 2009.

Respectfully submitted,

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Attorneys for Plaintiffs

Dated: March 19, 2009.

FARELLA BRAUN & MARTEL LLP

By: \_\_\_\_\_ /s/  
C. Brandon Wisoff

Attorneys for Defendants  
BLUEHIPPO FUNDING, LLC and  
BLUEHIPPO CAPITAL, LLC

*I hereby attest that I have received authority  
from the other counsel signatories to file this  
document.*

[Signatures Continued on Next Page]

1 Dated: March 19, 2009

2 QUINN EMANUEL URQUHART OLIVER  
3 & HEDGES

4 By: /s/  
5 Jeffrey D. McFarland

6 Attorneys for Defendant  
7 GATEWAY, INC.

8 **[PROPOSED] ORDER ON CASE MANAGEMENT CONFERENCE**

9 In accordance with the above Case Management Conference Statement and for good  
10 cause shown, the stay of this litigation is continued until March 31, 2009 to allow  
11 the parties to complete documentation of the Settlement. By that date, the parties shall either file  
12 papers seeking preliminary approval of a proposed class action settlement or a further joint case  
management statement.

13 SO ORDERED,

14 March 20

15 Dated, March 20, 2009

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Jeffrey S. White, U.S. District Judge